

# TOWN OF TEMPLETON

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## SPECIAL TOWN MEETING WARRANT

**November 9, 2015**



NARRAGANSETT REGIONAL MIDDLE SCHOOL  
460 BALDWINVILLE ROAD, BALDWINVILLE

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**TOWN OF TEMPLETON**  
**WARRANT FOR SPECIAL TOWN MEETING**

**November 9, 2015**

**WORCESTER, ss.**

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*To either of the Constables of the Town of Templeton in said County:*

*In the name of The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the precincts of the Town of Templeton, County of Worcester, qualified to vote in elections and Town affairs to meet in the Narragansett Regional Middle School, 460 Baldwinville Road, Baldwinville, in said Templeton on*

**Monday, November 9, 2015, at 7:00 p.m.**

*then and there to act on the following articles:*

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**ARTICLE 1    DEBT AUTHORIZATION: TEMPLETON ELEMENTARY SCHOOL**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Templeton Elementary School Building Committee for the purpose of paying the costs of designing, constructing, originally equipping and furnishing a new *Templeton Elementary School located at 17 South Road, Templeton MA*, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town, through Narragansett Regional School District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Town incurs in excess of any grant approved by and received from the MSBA through the Narragansett Regional School District, shall be the sole responsibility of the Town. Any grant that the Town may receive through the *Narragansett Regional School District*, from the MSBA for the Project shall not exceed the lesser of (1) **62.84%** of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

*Submitted by the Board of Selectmen on behalf of the Narragansett Regional School Committee*

**Summary:**

*This article would authorize the borrowing of **\$47,563,184** to pay the costs of designing, constructing, originally equipping and furnishing a new Templeton Elementary School. It is anticipated that the total of **\$47,563,184** will be offset by a grant from the Massachusetts School Building Authority of approximately **\$21,912,242** or **62.84%** of the expected cost.*

*The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Narragansett Regional School District may receive from the MSBA for the Project shall not exceed the lesser of: (1) **62.84%** of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.*

*The Narragansett Regional School District acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Templeton incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Templeton. The debt exclusion would increase the average tax bill by an estimated **\$1.83** for a period of thirty years.*

*The approval of this borrowing is expressly contingent upon the approval by the Town of a debt exclusion ballot question under Chapter 59, Section 21C of the General Laws (also known as Proposition 2 ½ ).*

**Main Motion:**

I move that the Town of Templeton appropriates the amount of Forty -Seven Million Five Hundred Sixty -Three Thousand One Hundred Eighty -Four Dollars (**\$47,563,184**) for the purpose of paying the costs of designing, constructing, originally equipping and furnishing a new Templeton Elementary School located at 17 South Road, Templeton MA, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town, through the Narragansett Regional School District, may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Templeton Elementary School Building Committee; and to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority;

The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Town incurs in excess of any grant approved by and received from the MSBA, through the Narragansett Regional School District, shall be the sole responsibility of the Town; provided further that any grant that the Town, through the Narragansett Regional School District, may receive from the MSBA for the Project shall not exceed the lesser of: (1) Sixty-Two and Eighty-Four Hundredths Percent (**62.84%**) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C "Proposition 2 ½"; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Narragansett Regional School District and the MSBA.

*Requires a 2/3rds vote*

Advisory Board Vote: 4 Yes - 2 Abstain

Advisory Board recommends a Yes vote on article 1

## **ARTICLE 2    DEBT AUTHORIZATION: POLICE STATION UPGRADE**

To see if the Town of Templeton will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under direction of the Selectmen to pay costs of designing, constructing and equipping a 4,000 square foot addition to and remodeling of the *Templeton Police Station, located at 33 South Road*, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

*Submitted by the Board of Selectmen*

### **Summary:**

*This article would authorize the borrowing of Nine Hundred Seventy Five Thousand Dollars (\$975,000) to pay costs of designing, constructing and equipping a 4,000 square foot addition to and remodeling of the Templeton Police Station. The proposed debt exclusion would add an estimated \$0.93 to the tax rate, and the debt would be discharged in two years.*

### **Main Motion:**

That the Town of Templeton appropriates the sum of Nine Hundred Seventy Five Thousand Dollars (\$975,000) to pay costs of designing, constructing and equipping a 4,000 square foot addition to and remodeling of the *Templeton Police Station, located at 33 South Road*, and for the

payment of all other costs incidental and related thereto; said sum to be expended under the direction of the Selectmen; and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority; provided, however, that no sums shall be borrowed or expended hereunder unless the Town shall have voted to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59. Section 21C (also known as Proposition 2 ½).

Advisory Board Vote: 5 Yes - 1 No recommendation  
Advisory Board recommends a Yes vote on article 2

*Requires a 2/3rds vote*

### **ARTICLE 3    FISCAL 2015 UNPAID BILLS**

To see if the town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to pay for unpaid bills from prior fiscal years, or take any other action relative thereto.

*Submitted by the Board of Selectmen*

**Summary:**

*This provides the means for the town to pay any unpaid bills from prior fiscal years. A bill from W.B. Mason for \$135.37 was sent to the wrong address in Fiscal 2015 and was re-sent to the correct address on September 25, 2015. Also, the Sewer Department received a bill for \$897.20 on October 1 for a motor delivered on June 22, 2015.*

**Main motion:**

I move that the Town appropriate One Hundred Thirty Five Dollars and Thirty Seven Cents (**\$135.37**) from the FY'16 tax levy and Eight Hundred Ninety Seven Dollars and Twenty Cents (**\$897.20**) from Sewer Department revenues to pay bills remaining from Fiscal 2015

Advisory Board Vote: Yes 6-0  
Advisory Board recommends a Yes vote on article 3

*Requires a 9/10ths majority*

### **ARTICLE 4    FISCAL 2016 FINANCIAL TRANSFERS**

To see if the Town will vote to amend Article 5 of the May 16, 2015 Annual Town Meeting, the Annual Operating Budget, by making the following transfers:

From	Acct. Name	Amount	To	Acct. Name
1000-951-900-53-5305-0000	TRIENNIAL REVALUATION	\$5,000	1000-141-100-51-5110-0000	DEPUTY ASSESSORS' OFFICE SALARY
9010-200-000-00-2300-0020	PLANNING RESERVE – DETENTION PONDS	\$48,040	1000-421-400-54-5420-0000	HIGHWAY DEPARTMENT - EXPENSES
1000-945-900-57-5743-0000	GENERAL INSURANCE	\$19,000	1000-945-900-57-5743-0000	TOWN ACCOUNTANT EXPENSES
1000-123-100-51-5110-0000	TOWN ADMINISTRATOR	\$14,000	1000-135-100-54-5420-0000	TOWN ACCOUNTANT EXPENSES
1000-220-200-54-5420	FIRE/EMS EXPENSE	111,608.50	NO ACCT. NUMBER	2015 SNOW & ICE DEFICIT

or take any other action related thereto.

*Submitted by the Board of Selectmen*

**Summary:**

*The Board of Assessors is requesting an increase of **\$5,000** in the salary of the Deputy Assessor. While union contracts have been settled for 2016 and some adjustments have been made to salaries of non-bargaining employees, the salary for the Deputy Assessor remains considerably below comparable officials in the Town and in surrounding communities.*

*The Planning Board has informed the Town that there is **\$48,040** available in a special account contributed by developers over the past decade for the purpose of maintaining stormwater detention ponds. The Highway Department does the maintenance using funds from their operating budget. Since the excavator is used for this type of work, the Planning Board would like to contribute the surplus funds to defray the cost of the new Highway Department excavator.*

*The Springfield Office of the Department of Revenue sent a representative to Templeton on October 14 to review progress in re-constructing financial records for Fiscal Years 2013, 2014 and 2015. The Town Administrator was advised that while progress is being made, there is still a large volume of time consuming and tedious work to be done. It was recommended that the Town bring in expert assistance to speed up the work so that audits can be conducted and free cash can be certified.*

*The transfer from the General Insurance account is from surplus funds in the account due to competitive bidding of the insurance contract and a lower cost for General Insurance. These funds will be available in the Accounting Office to cover the cost of additional help with financial records. The Town Administrator Salary account has a surplus which can be transferred because the contract with the interim Town Administrator pays less than the budgeted salary for a full time Town Administrator.*

*There is a surplus in the Fire/EMS account which can be used to cover the FY 2015 Snow and Ice deficit.*

**Main Motion:**

I move to transfer funds as presented in Article 4 of the Warrant for the November 9, 2015 Special Town Meeting.

Advisory Board: The Advisory Board recommended that each of these transfers be handled separately and therefore voted recommendations on each of the items.

\$5000 transfer from Triennial revaluation to Deputy Assessors Office Salary

Advisory Board Vote: Yes 6-0 , Advisory Board recommends a Yes vote.

\$48,040 transfer from Planning Board – Detention ponds to Highway Dept. Expense

Advisory Board Vote: 4 Yes – 1 No - 1 No recommendation, Advisory Board recommends a Yes vote

\$19,000 transfer from General Insurance to Town Accountant Expenses

Advisory Board Vote: Yes 6-0, Advisory Board recommends a Yes vote.

\$14,000 transfer from Town Administrator to Town Accountant Expenses

Advisory Board Vote: Yes 6-0, Advisory Board recommends a Yes vote.

\$111,608.50 transfer from Fire/EMS Expense to 2015 Snow and Ice deficit

Advisory Board Vote: 3 Yes – 1 No – 1 No recommendation – 1 Abstain

Advisory Board recommends a Yes vote.

*Requires a majority vote*



## **ARTICLE 5    FY 2016 APPROPRIATION TO THE OPEB ACCOUNT**

To see if the Town will vote amend Article 5 of the May 16, 2016 Annual Town Meeting , the Annual Operating Budget, by raising and appropriating a sum of money for deposit into the Other Post-Employment Benefits (OPEB) account; or take any other action relative thereto.

*Submitted by the Board of Selectmen*

### **Summary:**

*Under the Government Accounting Standards Board (GASB) Rule #45/46, all communities in the United States are required to carry the estimated cost of providing life and health insurance benefits to retired employees, known as Other Post-Employment Benefits (OPEB), on their financial balance sheet. In order to reduce the long term impact of OPEB, communities are encouraged by the Commonwealth to conduct an actuarial study to determine the extent of the liability and to begin a funding program by setting aside sums of money annually into a special account. Funds in the OPEB account will be invested, and thereby, the burden upon the annual operating budget will be reduced over time.*

*The alternative is to continue funding the rising cost of current employee and retiree benefits through annual appropriations in the operating budget. Without a subsidy from invested funds, the latter approach will be far more costly to the taxpayer.*

*This article will appropriate **\$64,608** as the Town's initial contribution into the Selectmen's Expense Budget. These funds will be moved at the 2016 Annual Town Meeting to a special OPEB account which the Selectmen will establish according to state statute.*

### **Main Motion:**

I move that the Town vote to raise and appropriate Sixty Three Thousand Dollars (**\$64,608**) to be deposited into the Selectmen's Office Expenses Budget (01-122-5400-5421).

Advisory Board Vote: 4 yes - 2 No recommendation

Advisory Board recommends a Yes vote on article 5

*Requires a majority vote*

## **ARTICLE 6    COMMUNITY PRESERVATION FUNDS: 4 ELM STREET PROJECT**

To see if the Town will vote to appropriate Ninety Eight Thousand Dollars (**\$98,000**) from the Templeton Community Preservation General Reserve Fund to be spent by the Town Administrator to create open space by paying for demolition and removal of debris at the

former *Town Office Building at 4 Elm Street, Baldwinville*, and for supplies and site preparation work required for the property to be established as a conservation area to be managed by the Cemetery and Parks Department; and that the Board of Selectmen, or such other Town board as the Board of Selectmen may designate, be authorized to acquire by purchase or gift and hold in the name of or enforceable by the Town and to grant a non-profit organization , charitable foundation or corporation, such conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or take any other action relative thereto.

*Submitted by the Board of Selectmen*

**Summary:**

*The two buildings at #4 Elm Street in Baldwinville were formerly used by the Town Clerk and Highway Department. The former Highway Department building, to the rear, is in very poor condition with a large hole in the roof. With heavy snow this winter, it will likely collapse. There is also significant soil contamination from petroleum products.*

*The former Town Clerk office is also in poor condition and will require removal of asbestos prior to demolition. The Selectman have decided that the best use of this property is to cap the contaminated areas and create a small conservation area offering access to the Otter River. The **\$98,000** expenditure of Community Preservation Funds would cover the cost of demolition, disposal of the debris and loaming and seeding of the parcel for passive recreation.*

**Main Motion:**

I moved that Ninety Eight Thousand Dollars (**\$98,000**) be hereby appropriated by the Templeton Community Preservation Fund to provide for the removal of the two buildings at 4 Elm Street, and further, to establish a conservation area under the jurisdiction of the Conservation Commission and maintained by the Cemetery and Parks Department; and that the Board of Selectmen, or such other Town board as the Board of Selectmen may designate, be authorized to acquire by purchase or gift and hold in the name of or enforceable by the Town and to grant a non-profit organization , charitable foundation or corporation, such conservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing.

Advisory Board Vote: 5 Yes - 1 No

Advisory Board recommends a Yes vote on article 6

*Requires a majority vote*

**ARTICLE 7     SEWER DEPARTMENT: SUPPLEMENTAL APPROPRIATION**

To see if the Town will vote to raise and appropriate or transfer from available funds the additional sum of **\$80,000** to operate the Sewer Department; said sum to be apportioned to be used for salaries, operating and maintenance, legal, engineering and other expenses of the Templeton Sewer Department; and further that said sum is to be raised from sewer user charges that were voted by the Sewer Commission on August 8, 2015, and which will be collected as per Sewer Department Rules by the Town of Templeton Sewer Department; or to take any other action relative thereto.

*Submitted by the Board of Selectmen on behalf of the Sewer Commission*

**Summary:**

*The Sewer Commissioners increased the sewer use rate in August in order to meet increased expenses for the Sewer Department in Fiscal 2016. This appropriation will be supported by additional revenue from the increased sewer use rate and will be used for salaries, operating, and maintenance, legal, engineering and other expenses of the Templeton Sewer Department.*

**Main Motion:**

I move that the Town appropriate Eighty Thousand Dollars (**\$80,000**) to supplement the Fiscal 2016 budget of the Templeton Sewer Department to be spent under the direction of the Templeton Sewer Commission.

Advisory Board Vote: Yes 6-0

Advisory Board recommends a Yes vote on article 7

*Requires a majority vote*

**ARTICLE 8     COA REVOLVING FUND**

To see if the Town will vote pursuant to Chapter 44, Section 53E ½ of the General Laws of the Commonwealth to amend a Council on Aging revolving account for the fiscal year beginning July 1, 2015 and ending June 30, 2016; or to take any other action related thereto.

*Submitted by the Board of Selectmen*

**Summary:**

*This revolving fund is used to pay for drivers, dispatch, fuel for the van and the COA Director's salary. The Montachusett Regional Transit Authority (MART) reimburses the Templeton COA for 100% of expenditures for drivers, dispatch and fuel for the van and for 50% of the salary of the COA Director. These funds go into the revolving fund and are re-used for future costs for*

*operating the three COA vans. The van program is costing an average of **\$9,000** per month. The COA revolving fund established at the May 16, 2015 Annual Town Meeting caps spending at **\$5,000** annually. This amendment would raise the cap on spending through the revolving fund to **\$120,000** annually.*

**Main Motion:**

I move that the Town vote to amend the Council on Aging revolving fund established at the May 16, 2015 Annual Town Meeting, pursuant to Chapter 44, Section 53 E ½ of the General Laws, by increasing the permitted level of annual spending through the revolving fund from **\$5,000** to **\$120,000**.

Advisory Board Vote: 4 Yes – 2 No recommendation

Advisory Board recommends a Yes vote on article 8

*Requires a majority vote*

**ARTICLE 9    PERSONNEL BY-LAW**

To see if the Town will vote to repeal Article XLVII of the Town By-Laws and to substitute a new Article XLVII which shall read as follows:

Article XLVII – The Board of Selectmen shall be responsible for the overall administration of the personnel system. The Selectmen shall promulgate personnel policies defining the rights, benefits and obligations of employees of the Town;

*or take any other action relative thereto.*

*Requires a majority vote*

**Summary:**

*The Personnel By-Law is both obsolete and duplicative of the Personnel Policies and Procedures Manual. The By-Law vest authority over the Town's personnel system to the Board of Selectmen and requires that the Selectmen appoint a Personnel Administrator separate from the Town Coordinator and a Personnel Board. The Town does not have a Personnel Administrator, and there is no longer a Personnel Board.*

**Main Motion:**

I move that the Town vote to repeal Article XLVII of the Town of Templeton By-Laws and to substitute a new Article XLVII as presented in Article 9 of this warrant.

Advisory Board Vote: 4 Yes – 1 No – 1 No recommendation

Advisory Board recommends a Yes vote on article 9

*Requires a majority vote*

## **ARTICLE 10    SICK TIME BY-LAW**

To see if the Town will vote to repeal Article XVII of the Town By-Laws; or take any other action relative thereto.

### **Summary:**

*This article is obsolete. Labor contracts and the current Personnel Policy provide 13 days of sick time per year for each employee; Article XVII provides for 10 sick days per year. Technically, current personnel policy and labor contracts are in violation of the sick time by-law.*

### **Main Motion:**

I move Article XVII of the Town By-Laws be hereby repealed.

Advisory Board Vote: 5 Yes – 1 No recommendation

Advisory Board recommends a Yes vote on article 10

*Requires a majority vote*

And you are hereby directed to serve this warrant by posting attested copies thereof in each precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 160 Patriots Road, Templeton, and by delivering a copy to each of the Precinct Clerks fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said Worcester County, in the City of Gardner.

Given under our hands this 19<sup>th</sup> day of October in the year AD 2015.

BOARD OF SELECTMEN

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John Columbus, Chairman

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Diane Haley Brooks, Vice Chairman

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Doug Morrison, Clerk

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Kenn Robinson, Member

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Julie Richard, Member

True Copy: ATTEST

John White

Constable of Templeton

OFFICER'S RETURN

WORCESTER, SS

October 14, 2015

This is to certify that I have served the within warrant by posting attested copies thereof in each precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 160 Patriots Road, Templeton, and by delivering a copy to each of the Precinct Clerks fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said Worcester County, in the City of Gardner.

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John White

Constable of Templeton

A True Copy, ATTEST:

Carol A. Harris

Town Clerk of Templeton